

**DECLARATION OF CLAUDIA MOLINA**

1. My name is Claudia Molina. I am over the age of 18, and my address is 1401 Crickets Ave., Lubbock, TX 79401. I am an employee of the Lubbock Private Defenders Office ("LPDO"). I began working for LPDO in June 2021 and have been a full-time employee since November 2021. I am executing this declaration as part of my assigned duties and responsibilities.

**Operation Lone Star and the Lubbock Private Defenders Office**

2. In March 2021, Governor Greg Abbott launched Operation Lone Star ("OLS"). Under OLS, the State of Texas has deployed large numbers of law enforcement personnel to counties near the southern border of Texas to arrest and prosecute migrants on criminal charges.
3. Shortly after OLS prosecutions began, the Supreme Court of Texas issued an emergency order authorizing the Texas Indigent Defense Commission ("TIDC") to establish a program for appointing counsel to indigent defendants arrested under OLS. TIDC awarded a grant to LPDO to effectuate the Supreme Court's emergency order.
4. LPDO is the managed assigned counsel program for indigent defendants in Lubbock County, Texas. Under TIDC's grant, LPDO formed a new, separate division for OLS defense. Since September 2021, LPDO's OLS division has been responsible for the assignment and management of counsel to indigent OLS defendants.
5. LPDO appoints counsel to OLS defendants in seven counties: Val Verde, Kinney, Maverick, Jim Hogg, Webb, Zapata, and Uvalde. OLS defendants' charges include misdemeanor trespass, felony human smuggling, and a small number of other charges.

**Duties and Responsibilities**

6. I have worked on the OLS team at LPDO since TIDC's grant award in September 2021. My roles have included serving as an Intern, Client Advocate, and Assignments Supervisor.
7. As a Client Advocate, my duties include communicating with OLS clients and their families.
8. As Assignments Supervisor, I am responsible for LPDO's appointment of counsel to OLS defendants. I oversee the OLS Assignments Team, which includes myself and the Assignments Coordinators.

### **Process for Assigning Counsel**

9. After an OLS defendant is arrested, they are transported to one of two temporary processing facilities: the Val Verde Temporary Processing Center ("VVTPC") or the Jim Hogg Temporary Processing Center ("JHTPC"). These facilities are run by the State of Texas.
10. The VVTPC processes defendants arrested in Kinney County, Val Verde County, Maverick County, and Uvalde County. The JHTPC processes defendants arrested in Jim Hogg County, Webb County, and Zapata County.
11. OLS defendants have their initial appearance before a magistrate judge at the processing center. After magistration, the defendants are transported to the Texas Department of Criminal Justice's Briscoe and Segovia Units for pretrial detention.
12. LPDO typically receives cases for appointment of counsel within 24-48 hours of magistration. In each case, LPDO receives a file with the defendant's magistration paperwork, which includes the affidavit of indigency, magistrate's warning, and probable cause statement.
13. After LPDO receives the case, the OLS Assignments Team reviews the magistration paperwork and assigns an attorney to represent the client.
14. As of September 2022, LPDO has appointed counsel to approximately 6,700 defendants arrested under OLS. Approximately 5,000 of those defendants were arrested for misdemeanor trespass.

### **Male Defendants Found Trespassing with Women**

15. As part of my job responsibilities, I routinely review the probable cause statements included in defendants' magistration paperwork.
16. Exhibit B-1 is a true and correct copy of some of the probable cause statements I have reviewed. Those statements reflect cases in which women were found trespassing with men. We appointed the men attorneys because they were prosecuted. The women, on the other hand, were not prosecuted. As a result, we did not appoint them counsel. I have redacted the documents to protect the privacy of the individuals named in them.
17. The documents in Exhibit B-1 are probable cause statements from cases where LPDO appointed counsel. These probable cause statements were provided to LPDO by the Office of Court Administration, which collects magistration paperwork from the state-run temporary processing centers. I have personal knowledge of LPDO's recordkeeping practices. These documents are reproduced exactly as they appear in LPDO's records.

**Exhibit E**

**No Women Appointed Counsel for Trespass**

18. More generally, my review of LPDO's records revealed that no women have ever been appointed counsel for OLS misdemeanor trespass charges.
19. In my role as Client Advocate, I had anywhere between 50 and 100 phone calls with OLS defendants daily. I have conducted between 100 and 150 jail visits. I also observe OLS court proceedings at least 1-2 times a week. I have not personally seen or communicated with any women prosecuted for misdemeanor trespass under OLS. Instead, every misdemeanor client I have communicated with has been a male.
20. LPDO has appointed counsel to women in some OLS cases, but only for felony charges. Exhibit B-2 is a true and correct copy of probable cause statements for some women arrested on felony charges in OLS. These probable cause statements were provided to LPDO by the Kinney County Sheriff's Office. The women named in these probable cause statements were prosecuted in Kinney County but were detained in the Kerr County jail. Rather than being magistrated at the state-run temporary processing facilities, these women appear to have been magistrated in Kinney County. I have redacted the documents to protect the privacy of the individuals named in them.
21. The documents in Exhibit B-2 are probable cause statements from cases where LPDO appointed counsel. The documents are taken directly from LPDO's records. I have personal knowledge of LPDO's recordkeeping practices. These documents are reproduced exactly as they appear in LPDO's records.

I declare under penalty of perjury that all information in the attached document, titled "Declaration of Claudia Molina," is true and correct.

Signed in Lubbock County, Texas, on Sept. 23<sup>rd</sup>, 2022.

Claudia Molina  
Claudia Molina

**Exh. B**

Cause Number VAVE-JCHY-CDYGZ8

THE STATE OF TEXAS

X IN THE (MUNICIPAL)(JUSTICE)  
 X (COUNTY)(DISTRICT) COURT  
 X (PCT OR C.C. AT LAW \_\_\_\_\_)  
 X IN MAVERICK COUNTY, TEXAS

COUNTY OF MAVERICK

**AFFIDAVIT and COMPLAINT FOR WARRANT OF ARREST AND DETENTION**  
**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS**

The Undersigned Affiant, who after being duly sworn by me, on oath makes the following statement:

I, **Trooper FREDDIE E QUINN II #15750**, have good reason to believe and do believe that **CASTRO-CARVAJAL, CARLOS H/M DOB [REDACTED] UK, DL/ID#UNKNOWN** on or about the **30April, 2022** in **MAVERICK** County, Texas, did then and there commit the offense of:

**CRIMINAL TRESPASS (TXPC 30.05(a))**

**Misdemeanor - Class B**

My belief of the foregoing statement is based upon **personal knowledge**, who personally observed such offense:

On 4/30/2022 I Trooper F. Quinn, was assigned to the DPS Brush Team. At approximately 1:48 am, the DPS Brush Team responded to a drawbridge camera alert on the Dan A. Hughes Ranch located on FM-1908 near Mile Marker 536. The DPS Drone Team was able to locate two males and one female on the property (29.00463, -100.57667). Carlos Cavajal Castro (DOB: [REDACTED]), and Marco Antonio Castelar-Martinez (DOB: [REDACTED]) did not have permission to enter or remain on the property. Terry Langley, the Foreman of the property where the two males were located signed a criminal trespass affidavit, allowing the Texas Department of Public Safety to arrest anyone found trespassing on the property that he owns.

**This offense was committed against the peace and dignity of the state of Texas.**



Affiant **Trooper FREDDIE E QUINN II #15750**

SWORN AND SUBSCRIBED TO, before me by the said Affiant on this the **30April, 2022**.



☐ Notary Public ☒ Peace Officer, in and for The State of Texas **MAVERICK** County

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause does exist for the issuance of an arrest warrant for the individual accused herein.



Magistrate in and for, **MAVERICK** County, Texas

**04/30/2022**



VAVE-AR0Z-CDU9MD

Cause Number \_\_\_\_\_

THE STATE OF TEXAS

X IN THE (MUNICIPAL)(JUSTICE)  
 X (COUNTY)(DISTRICT) COURT  
 X (PCT OR C.C. AT LAW \_\_\_\_)  
 X IN MAVERICK COUNTY, TEXAS

COUNTY OF MAVERICK

**AFFIDAVIT and COMPLAINT FOR WARRANT OF ARREST AND DETENTION**  
**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS**

The Undersigned Affiant, who after being duly sworn by me, on oath makes the following statement:

I, **BRANDON ARI AQUINO #15857**, have good reason to believe and do believe that **CASTILLO GARCIA, LEONEL H/M DOB (REDACTED) MX, DL/ID#UNKNOWN** on or about the **25 th day of April, 2022** in **MAVERICK** County, Texas, did then and there commit the offense of:

**CRIMINAL TRESPASS - DISASTER AREA (TXPC 30.05(a))**  
**Misdemeanor - Class A**

My belief of the foregoing statement is based upon **personal knowledge**, who personally observed such offense:

On April 25, 2022, at or about 11:01pm, I, Trooper Aquino, responded to the Hughes Ranch property in Maverick County, Texas (29.06915, -100.55677). Once I arrived on the ranch, a TXDPS drone was launched in attempt to locate six subjects in which activated a border surveillance camera. The drone was able to identify six individuals traveling over 100 feet inside the enclosed fenced property. I was able to apprehend the group which consisted of five males and one female. I placed the five males under arrest for Criminal Trespass- Disaster Area (MA) including the defendant (Leonel Castillo Garcia). The owner of the Hughes Ranch property has signed a Criminal Trespass affidavit giving the Texas Department of Public Safety authorization to arrest any persons found trespassing on property they owned. The Texas Governor, Greg Abbott, had declared Maverick County a disaster zone which enhances the charge to a class A Misdemeanor. The defendant was then transported to the Val Verde County Temporary Jail for Booking Procedures.

**This offense was committed against the peace and dignity of the state of Texas.**



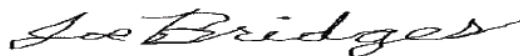
Affiant **BRANDON ARI AQUINO #15857**

SWORN AND SUBSCRIBED TO, before me by the said Affiant on this the **25th day of April, 2022**.



☐ Notary Public ☒ Peace Officer, in and for The State of Texas **MAVERICK** County

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause does exist for the issuance of an arrest warrant for the individual accused herein.



Magistrate in and for, MAVERICK County, Texas

04/26/2022

VAVE-ASAZ-CDNFS7

Cause Number \_\_\_\_\_

THE STATE OF TEXAS

X IN THE (MUNICIPAL)(JUSTICE)  
 X (COUNTY)(DISTRICT) COURT  
 X (PCT OR C.C. AT LAW \_\_\_\_)  
 X IN MAVERICK COUNTY, TEXAS

COUNTY OF MAVERICK

**AFFIDAVIT and COMPLAINT FOR WARRANT OF ARREST AND DETENTION**  
**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS**

The Undersigned Affiant, who after being duly sworn by me, on oath makes the following statement:

I, **CORPORAL II ZACHARIAH SPRINGER #15001**, have good reason to believe and do believe that **TINOCO-SALVADOR, EDWIN JOEL H/M DOB [REDACTED] HO, DL/ID# [REDACTED]** on or about the **19 th day of April, 2022** in **MAVERICK** County, Texas, did then and there commit the offense of:

**CRIMINAL TRESPASS - DISASTER AREA (TXPC 30.05(a))**  
**Misdemeanor - Class A**

My belief of the foregoing statement is based upon **personal knowledge**, who personally observed such offense:

On 04/19/2022, at approximately 21:24hrs, Texas DPS Highway Patrol Team four was notified of a drawbridge alert on the Martin Wall Ranch Property. There is signage around the property and or purple paint notating that trespassing is illegal. We suspected these persons to be on the property illegally. We also have a PCA from the landowners permitting us to be on the property and arrest individuals we know to be trespassing. Team four responded to the area. I traveled to the East of the property to head the group off as my partners pursued them from the West and the North. The drone team was able to identify human shapes on their FLIR drone that showed the group of three people had stopped moving and were attempting to hide. The drone team guided me to the group. The group had traveled through the Martin Wall Property (over 100 feet) and were discovered on the Jay Taylor Property. I activated my body camera and told the group that I was the state police and that they were under arrest. I handcuffed the three individuals together at 28.79289, -100.47934. The time was 22:08hrs. Of the three suspects, two were females, and one was a male. The two females were turned over to USBP. The male Edwin Joel Tinoco-Salvador, DOB: [REDACTED] was taken to the Val Verde Temporary Holding Facility. The offense was a class B but was enhanced due to Governor Abbott's disaster declaration for Kinney County. The defendants were charged with Criminal Trespass, Class A Misdemeanor.

I transported the suspect in my unit to the Val Verde Temporary Holding Facility, where they were booked in without incident. After booking him into jail it was discovered he lied about his date of birth which he himself wrote down for me and it attached to this report. Tinoco-Salvador was actually born [REDACTED] not [REDACTED] Tinoco-Salvador received an additional charge for giving a fictitious date of birth.

**This offense was committed against the peace and dignity of the state of Texas.**



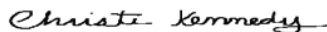
Affiant **CORPORAL II ZACHARIAH SPRINGER**

SWORN AND SUBSCRIBED TO, before me by the said Affiant on this the **19th day of April, 2022**.



☐ Notary Public ☒ Peace Officer, in and for The State of Texas **MAVERICK** County

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause does exist for the issuance of an arrest warrant for the individual accused herein.



Magistrate in and for, MAVERICK County, Texas

04/20/2022



VAVE-MMEA-CFUARE

Cause Number \_\_\_\_\_

THE STATE OF TEXAS

X IN THE (MUNICIPAL)(JUSTICE)  
 X (COUNTY)(DISTRICT) COURT  
 X (PCT OR C.C. AT LAW \_\_\_\_)  
 X IN KINNEY COUNTY, TEXAS

COUNTY OF KINNEY

**AFFIDAVIT and COMPLAINT FOR WARRANT OF ARREST AND DETENTION**  
**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS**

The Undersigned Affiant, who after being duly sworn by me, on oath makes the following statement:

I, **Trooper FREDDIE E QUINN II #15750**, have good reason to believe and do believe that **GARDUNO ULIN, KEVIN FERNANDO H/M DOB [REDACTED] MX, DL/ID#UNKNOWN** on or about the **28 th day of June, 2022** in **KINNEY** County, Texas, did then and there commit the offense of:

**CRIMINAL TRESPASS - DISASTER AREA (TXPC 30.05(a))**

**Misdemeanor - Class A**

My belief of the foregoing statement is based upon **personal knowledge**, who personally observed such offense:

On 6/28/2022 at approximately 11:28 PM, I Trooper F. Quinn along with the DPS Brush Team responded to a camera alert on the Toft Ranch in Kinney County. The Brush Team and I located nine individuals (seven males, two females) on the property (29.22289, -100.28208). Three males were referred to Trooper Quiroga, and the other four males were referred to me. The two females were referred to border patrol. Zuriel Alcudia (DOB [REDACTED]), Kevin Garduno (DOB [REDACTED]), Jose Jimenez (DOB [REDACTED]), and Luis Perez ([REDACTED]) did not have permission to enter or remain on the property. Robert L. Trant, the owner of the property where all seven males were located signed a criminal trespass affidavit, allowing the Texas Department of Public Safety to arrest anyone found trespassing on the property that he owns. Furthermore, all apprehended males committed the criminal trespass during a time when the Governor of Texas had declared a state of disaster for Kinney County.

**This offense was committed against the peace and dignity of the state of Texas.**



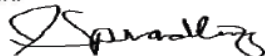
Affiant **Trooper FREDDIE E QUINN II #15750**

SWORN AND SUBSCRIBED TO, before me by the said Affiant on this the **28th day of June, 2022**.



☐ Notary Public ☒ Peace Officer, in and for The State of Texas **KINNEY** County

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause does exist for the issuance of an arrest warrant for the individual accused herein.



Magistrate in and for, **KINNEY** County, Texas

06/29/2022

VAVE-RAVA-CEJ7G8

Cause Number \_\_\_\_\_

THE STATE OF TEXAS

X IN THE (MUNICIPAL)(JUSTICE)  
 X (COUNTY)(DISTRICT) COURT  
 X (PCT OR C.C. AT LAW \_\_\_\_\_)  
 X IN KINNEY COUNTY, TEXAS

COUNTY OF KINNEY

**AFFIDAVIT and COMPLAINT FOR WARRANT OF ARREST AND DETENTION**  
**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS**

The Undersigned Affiant, who after being duly sworn by me, on oath makes the following statement:

I, **TROOPER II ALEXANDER J CUMMINGS #15045**, have good reason to believe and do believe that **DIAZ- PEREZ, EDER H/M DOB: [REDACTED] MX, DL/ID# [REDACTED]** on or about the **17 th day of May, 2022** in **KINNEY** County, Texas, did then and there commit the offense of:

**CRIMINAL TRESPASS - DISASTER AREA (TXPC 30.05(a))**

**Misdemeanor - Class A**

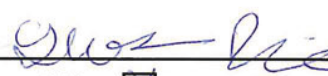
My belief of the foregoing statement is based upon **personal knowledge**, who personally observed such offense:

On 05/17/2022, at approximately 09:08 PM, Trooper Alexander Cummings was contacted to the report of three subjects that were apprehended on the property of another to wit: Randy Schott, located in Kinney County. Upon arrival, three individuals (two adult males and one adult female) were observed that had been located approximately at the following coordinates (29.32284, -100.52183). The property of another, to wit: Randy Schott has provided DPS with a criminal trespass affidavit, and the individuals did not have permission to be on the property. The defendants were found beyond 100 feet from the boundary of the land. This property is fenced agricultural land that is reasonably likely to come to the attention of intruders. As a result, DE LA CRUZ- JIMENEZ, JONNY DOB: [REDACTED] and DIAZ- PEREZ, EDER DOB: [REDACTED] were placed under arrest for Criminal Trespass - Disaster Area (TXPC 30.05 (A)). Furthermore, the defendants committed the offense of Criminal Trespass during a period in which the Texas Governor had declared a disaster in Kinney County. The defendants were then transported and booked in at Val Verde County Temporary Jail on a Class A Misdemeanor. The one female identified as Perez- Garcia, Manuela DOB: [REDACTED] was turned over to U.S. Border Patrol.

**This offense was committed against the peace and dignity of the state of Texas.**

  
 Affiant **TROOPER II ALEXANDER J CUMMIN**

SWORN AND SUBSCRIBED TO, before me by the said Affiant on this the **17th day of May, 2022**.

  
☐ Notary Public ☒ Peace Officer, in and for The State of Texas **KINNEY** County

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause does exist for the issuance of an arrest warrant for the individual accused herein.



\_\_\_\_\_  
 Magistrate in and for, KINNEY County, Texas

05/18/2022



Cause Number JHCO-MTOO-CF52HX

THE STATE OF TEXAS

X IN THE (MUNICIPAL)(JUSTICE)  
 X (COUNTY)(DISTRICT) COURT  
 X (PCT OR C.C. AT LAW \_\_\_\_)  
 X IN JIM HOGG COUNTY, TEXAS

COUNTY OF JIM HOGG

**AFFIDAVIT and COMPLAINT FOR WARRANT OF ARREST AND DETENTION**  
**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS**

The Undersigned Affiant, who after being duly sworn by me, on oath makes the following statement:

I, **TROOPER II VALENTIN CANTU #15172**, have good reason to believe and do believe that **ALVAREZ-LEAL, DANIEL H/M DOB [REDACTED] MX, DL/ID# [REDACTED]** on or about the **5th day of June, 2022** in **JIM HOGG** County, Texas, did then and there commit the offense of:

**CRIMINAL TRESPASS - DISASTER AREA (TXPC 30.05(a))**  
**Misdemeanor - Class A**

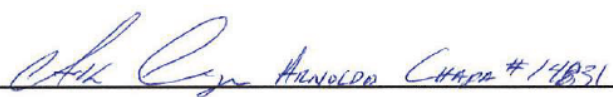
My belief of the foregoing statement is based upon **personal knowledge**, who personally observed such offense:

On June 5, 2022, at approximately 4:57 p.m. I, Trooper Valentin Cantu #15172, was working Operation Lone Star alongside the TX DPS Brush Team in Jim Hogg County. I responded to 3 male and 1 female criminal trespassers inside of the Positas Ranch Property. The 4 individuals were apprehended by TXDPS Sgt L. Silva. The owner of the Positas Ranch has signed a criminal trespass affidavit on the file authorizing the Texas Department of Public Safety to arrest any/ all persons and charge them for Criminal Trespass - Disaster area (TXPC 30.05(a)) who are located on the property without owner's consent. This location has a barbed-wire fence surrounding the entire property. On the affidavit, the owner only allowing law enforcement officials and members of the National Guard on their property. The Three male subjects were identified as ALVAREZ-LEAL, DANIEL (DOB: [REDACTED]), MORALES-JIMENEZ, EDGAR PUEBLITO (DOB: [REDACTED]), MORALES-MARTINEZ, JOSE EVODIO (DOB: [REDACTED]), apprehended, and charged with Criminal Trespass - Disaster Area (TXPC 30.05(a)). MORALES-MARTINEZ, JOSE EVODIO was transported by Sky Line EMS due to possible severe dehydration. The female subject was released to U.S. Border Patrol. LEAL-DANIEL AND MORALES-JIMENEZ were transported and released to the Jim Hogg Processing Center without further incident.

**This offense was committed against the peace and dignity of the state of Texas.**

  
 Affiant **TROOPER II VALENTIN CANTU #15172**

SWORN AND SUBSCRIBED TO, before me by the said Affiant on this the **5th day of June, 2022**.

  
☐ Notary Public ☒ Peace Officer, in and for The State of Texas **JIM HOGG** County

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause does exist for the issuance of an arrest warrant for the individual accused herein.

  
 Magistrate in and for, **JIM HOGG** County, Texas

06/06/2022

JHCO-TMAN-CEUCML

Cause Number \_\_\_\_\_

THE STATE OF TEXAS

X IN THE (MUNICIPAL)(JUSTICE)  
 X (COUNTY)(DISTRICT) COURT  
 X (PCT OR C.C. AT LAW \_\_\_\_)  
 X IN JIM HOGG COUNTY, TEXAS

COUNTY OF JIM HOGG

**AFFIDAVIT and COMPLAINT FOR WARRANT OF ARREST AND DETENTION**  
**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS**

The Undersigned Affiant, who after being duly sworn by me, on oath makes the following statement:

I, Trooper **JOE G HERNANDEZ #15630**, have good reason to believe and do believe that **FLORES-SERVELLON, JOSUE RIGOBERTO W/M DOB [REDACTED] HO, DL/ID# [REDACTED]** on or about the **28 th day of May, 2022** in **JIM HOGG** County, Texas, did then and there commit the offense of:

**CRIMINAL TRESPASS - DISASTER AREA (TXPC 30.05(a))**  
**Misdemeanor - Class A**


My belief of the foregoing statement is based upon **personal knowledge**, who personally observed such offense:

On 05/28/2022, I, Trooper Joe Hernandez was on routine patrol in Jim Hogg County working Operation Lone Star Brush Team. At approximately 1:46 AM a U.S. Border Patrol drawbridge activation camera went off inside Casa Redonda Ranch displaying one person on image in Jim Hogg (27.28315, -98.63575). The Brush Team and I responded along with US Border Patrol. After searching the area, we were able to locate four individuals, two females and two males, inside The Casa Redonda Ranch (27.29193, -98.63535). Casa Redonda Ranch is owned by Ben Eshelman who has signed a criminal trespass affidavit allowing the Texas Department of Public Safety to arrest all persons inside their property without their expressed consent. Casa Redonda Ranch is enclosed by fencing obviously designed to exclude intruders or to contain livestock. The four individuals were identified and found to be in the country illegally. The two females were turned over to US Border Patrol and the two males were taken into custody by me and placed under arrest for Criminal Trespass. Flores-Servellon, Josue Rigoberto DOB [REDACTED] and Cruz-Lopez, Jose Alberto DOB [REDACTED] were placed under arrest for Criminal Trespass - Disaster Area (TXPC 30.05(a)) and booked at the Jim Hogg Processing Center without incident.

**This offense was committed against the peace and dignity of the state of Texas.**

  
 Affiant **Trooper JOE G HERNANDEZ #15630**

SWORN AND SUBSCRIBED TO, before me by the said Affiant on this the **28th day of May, 2022**.

  
☐ Notary Public ☒ Peace Officer, in and for The State of Texas **JIM HOGG** County

On this the 28 day of May, 2022, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause does exist for the issuance of an arrest warrant for the individual accused herein.



Magistrate in and for, JIM HOGG County, Texas

05/28/2022



JHCO-OAGO-CEB9JC

Cause Number \_\_\_\_\_

THE STATE OF TEXAS

X IN THE (MUNICIPAL)(JUSTICE)  
 X (COUNTY)(DISTRICT) COURT  
 X (PCT OR C.C. AT LAW \_\_\_\_)  
 X IN JIM HOGG COUNTY, TEXAS

COUNTY OF JIM HOGG

**AFFIDAVIT and COMPLAINT FOR WARRANT OF ARREST AND DETENTION**  
**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS**

The Undersigned Affiant, who after being duly sworn by me, on oath makes the following statement:

I, **TROOPER ERNESTO TORRES JR. #15008**, have good reason to believe and do believe that **GOMEZ-SANCHEZ, JAVIER W/M DOB [REDACTED], DL/ID# [REDACTED]** on or about the **10May, 2022** in **JIM HOGG** County, Texas, did then and there commit the offense of:

**CRIMINAL TRESPASS - DISASTER AREA (TXPC 30.05(a))**  
**Misdemeanor - Class A**

My belief of the foregoing statement is based upon **personal knowledge**, who personally observed such offense:

On 05/10/2022, at approximately 11:00 PM, I, Trooper Ernesto Torres #15008, was working Operation Lone Star alongside the TX DPS Brush Team and United States Border Patrol in Jim Hogg County. We responded to 4 males and 1 female criminal trespasser inside the Noriecitys Ranch. The owner of the Noriecitys Ranch has signed a criminal trespass affidavit on file authorizing the Texas Department of Public Safety to arrest any/all persons and charge them for Criminal Trespass -Disaster area (TXPC 30.05 (a)) who are located on the property without owner's consent. This location has a barbed-wire fence surrounding the entire property used to keep livestock in and intruders out. On the affidavit, the owner is only allowing law enforcement officials and members of the National Guard on their property. Gomez-Sanchez, Javier W/M DOB: [REDACTED], Jimenez-Hernandez, Genaro W/M DOB: [REDACTED] Sanchez-Hernandez, Mateo W/M DOB: [REDACTED] Medina-Pulido, Valentin W/M DOB: [REDACTED] were located and apprehended inside the Noriecitys Ranch by TX DPS Brush Team and United States Border Patrol. The female remained in the custody of the United States Border Patrol Agents. Due to Gomez-Sanchez, Jimenez-Hernandez, Sanchez-Hernandez, and Medina-Pulido being inside the property without the owner's consent, they were placed under arrest for Criminal Trespass-Disaster area (TXPC 30.05 (a)). They were all transported to the Jim Hogg County Processing Center where they were released to the processing center staff without further incident.

**This offense was committed against the peace and dignity of the state of Texas.**



Affiant **TROOPER ERNESTO TORRES JR. # 15008**

SWORN AND SUBSCRIBED TO, before me by the said Affiant on this the **10May, 2022**.

*Lee Oliver #14146*

☐ Notary Public ☒ Peace Officer, in and for The State of Texas **JIM HOGG** County

On this the 10 day of May, 2022, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause does exist for the issuance of an arrest warrant for the individual accused herein.

*Christi Kennedy*

Magistrate in and for, JIM HOGG County, Texas

05/11/2022



## **PROBABLE CAUSE AFFIDAVIT**

**THE STATE OF TEXAS**

**KNOW ALL MEN BY THESE PRESENT:**

**COUNTY OF KINNEY**

I, **Deputy Felicia Gonzalez**, being duly sworn, do state upon my oath that I have good reason to believe and do believe that **R [REDACTED] (W/F DOB [REDACTED])**, defendant, committed the offense of **Smuggling of Persons TX PC 20.05 (b)**, a **Third Degree Felony**, on or about **September 8, 2022** in **Kinney County, Texas** and in the support of that belief and in order to provide probable cause for the filing of a criminal charge against the defendants, I state the following facts and swear that they are true.

**To-wit:**

On September 8, 2022 at 09:40 hours, at approximately 09:40 hours, I, Deputy F. Gonzalez of Galveston County Constable Precinct 2 conducted a traffic stop on a black Hyundai 2021 displaying TX LP ([REDACTED]) on RR 334 near mile marker 384 for reasonable suspicion of smuggling of persons due to driving in a tandem with a black Toyota Tundra 2016 displaying TX LP ([REDACTED]).

I provided dispatch with both Texas License plate and positioned my marked patrol unit in front of both vehicles and activate the unit's emergency light to initiate a traffic stop. Both vehicles braked and came to a stop. I exited my patrol unit approached the black Hyundai vehicle giving commands to the driver who was later identified as **[REDACTED] M [REDACTED] (W/F DOB: [REDACTED])**. I approached the driver's side window and asked her to lower her driver's side window and her back driver's passenger window. I advised the female driver the reason for my stop and requested her Driver's License and proof of insurance. The female immediately stated she did not have a driver's License and that the vehicle was a rental.

I asked **[REDACTED]** to step out of her vehicle and advised her she was being detained. As I was speaking to **[REDACTED]** a female exited a black Toyota Tundra 2016 displaying TX LP ([REDACTED]) and approached me instead of waiting inside her vehicle. I advised the female driver the reason for my stop and requested her Driver's License and proof of insurance. She stated her identification was in the truck and began to walk back towards the vehicle. I observed the female appeared talkative and nervous. The driver of the black Toyota was later identified by her Texas Identification card as **R [REDACTED] (W/F DOB [REDACTED])**. I asked **R [REDACTED]** if there was anyone else in her vehicle to which she replied no. **R [REDACTED]** was placed in hand restraints for officer safety reasons.

I, Deputy Gonzalez observed multiple bodies in the back seat unrestrained. I observed four males seated in the rear seat, and one male lying across the floorboard of the front passenger seat this is common tactic used in human smuggling. Ranch Road 334 and is used to circumvent the US Border Patrol Checkpoint on Hwy 90.

**Exh. B-2**

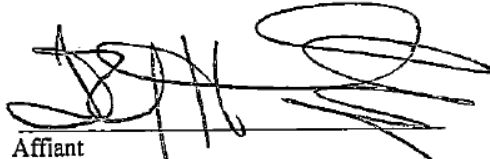
I asked R [REDACTED] where she was going and she stated San Antonio and they were coming from Del Rio. The fact that [REDACTED] and R [REDACTED] were taking RR 334 was indicator that was a human smuggling event as RR 334 is not a direct route to San Antonio from Del Rio and it by-passes the USBP point on HWY 90. I then called KCSO Dispatch requesting USBP assistance as I had reasonable suspicion that was a human smuggling event. When I asked R [REDACTED] who the man who she was transporting was she stated that she wasn't aware anyone was in her vehicle. I said that's impossible due to observing so many inside the cab of her truck.

Patrol Agent Salazar arrived on scene and after speaking with the three individuals who presented Mexican identification cards. Border Patrol Agent Salazar determined they did not have status to be in the United States and had entered illegally. Border Patrol Agent Salazar took custody of the five males. Border Patrol Agent Salazar transported them to the Brackett Border Patrol Station for processing.

R [REDACTED] (W/F DOB [REDACTED]) is being charged with five (5) counts of Smuggling of Persons for the transporting the following in his vehicle:

[REDACTED] - Mexican National  
 [REDACTED] - Mexican National  
 [REDACTED] - Mexican National  
 [REDACTED] - Mexican National  
 [REDACTED] - Mexican National

R [REDACTED] (W/F DOB [REDACTED]) was transported to the Kinney County Jail for processing and later transported to the Kerr County for booking.

  
 Affiant

SWORN TO AND SUBSCRIBED BEFORE ME, by Deputy Felicia Gonzalez, a credible person, this 8th day of September, 2022

  
 Peace Officer, in and for The State of Texas KINNEY County

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause does exist for the issuance of an arrest warrant for the individual accused herein.

\_\_\_\_\_  
 Magistrate in and for, KINNEY County, Texas

**Exh. B-2**

**PROBABLE CAUSE AFFIDAVIT**

**THE STATE OF TEXAS**

**COUNTY OF KINNEY**

**KNOW ALL MEN BY THESE PRESENTS:**

I, **Deputy Elizabeth Aguirre**, being duly sworn, do state upon my oath that I have good reason to believe, and do believe, that **F. [REDACTED]** **DOB: [REDACTED]**, defendant, committed the offense of **Smuggling of Persons TX PC 20.05 (b)**, a **Third Degree Felony**, on or **August 2, 2022**, in Kinney County, Texas, and in support of that belief and in order to provide probable cause for the filing of a criminal charge against the defendant, I state the following facts and swear that they are true, to-wit:

On 08/02/2022 at approximately 0446 hours, I, Deputy E. Aguirre attempted to conduct reasonable suspicion stop for criminal activity occurring on grey in color 2015 Ford Taurus displaying TX LP **[REDACTED]** eastbound on RR 334 near MM 384.

The driver later identified as **A. [REDACTED]** (DOB **[REDACTED]**) came to a stop, and three female individuals exited the right back passenger door running from the vehicle. The females were apprehended by Sgt. Pena at the bailout location. **A. [REDACTED]** proceeded north bound at speeds in excess of 100 mph. **A. [REDACTED]** continued on RR 334 before going south on SH 55. DPS Trooper Gilpin had a successful spike strip deploying with three tires becoming deflated near MM 537 on SH 55. **A. [REDACTED]** turned the lights off on the car and fled into the brush at County Road 404 in Uvalde County. DPS located **A. [REDACTED]** in the brush apprehending him and bring him out to my location. **A. [REDACTED]** was advised he was under arrest for Evading Arrest/Detention in Vehicle and Smuggling of Persons.

The remaining passenger and co-defendant in the car was identified as **F. [REDACTED]** (DOB **[REDACTED]**) who was detained and placed in my patrol unit. **F. [REDACTED]** was advised she was under arrest for smuggling of persons.

GCP4 Deputy Rouse transported **A. [REDACTED]** to the Kinney County Jail for processing. I transported **F. [REDACTED]** to the Kinney County Jail for processing and booking.

**A. [REDACTED]** and **F. [REDACTED]** were transporting the following in the vehicle:


**[REDACTED]** – Honduran National  
**[REDACTED]** – Honduran National  
**[REDACTED]** – Honduran National

**Exh. B-2**

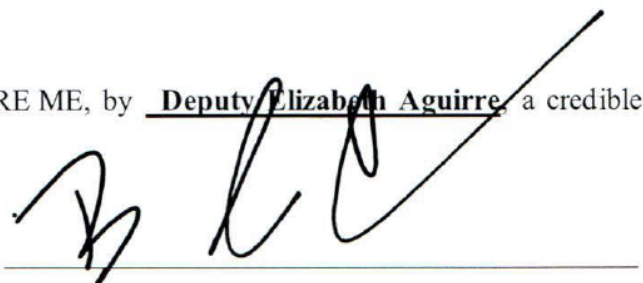


F [REDACTED] is being charged with **three counts of Smuggling of Persons**.


F [REDACTED] was transported to Kerr County Jail for housing.

  
\_\_\_\_\_  
Affiant

SWORN TO AND SUBSCRIBED BEFORE ME, by Deputy Elizabeth Aguirre, a credible person, this 2<sup>nd</sup> day of August, 2022

  
\_\_\_\_\_  
Peace Officer, in and for The State of Texas **KINNEY** County

On this the 2 day of August, 2022, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause does exist for the issuance of an arrest warrant for the individual accused herein.

  
\_\_\_\_\_  
Magistrate in and for, KINNEY County, Texas

**PROBABLE CAUSE AFFIDAVIT**

**THE STATE OF TEXAS**

**COUNTY OF KINNEY**

**KNOW ALL MEN BY THESE PRESENTS:**

I, **Chief Deputy Armando M. Garcia**, being duly sworn, do state upon my oath that I have good reason to believe, and do believe, that **R [REDACTED] DOB: [REDACTED]**, defendant, committed the offense of **Smuggling of Persons TX PC 20.05 (b) (4 counts)**, a **Third Degree Felony**, on or about **August 18, 2022**, in Kinney County, Texas, and in support of that belief and in order to provide probable cause for the filing of a criminal charge against the defendant, **R [REDACTED]**, I state the following facts and swear that they are true, to-wit:

On August 18, 2022, contact was made with **R [REDACTED]** on Ranch Road 334 at MP390 in Kinney County Texas. **R [REDACTED]** was in a 2012 GMC Terrain bearing 2 different license plates (**[REDACTED]**). The license plate registered to the said vehicle is **[REDACTED]**. During the investigation of the suspected stolen vehicle, indicated that the vehicle was stolen out of San Antonio Texas and had been entered as stolen by the San Antonio Police Department. The suspected driver of the vehicle a male subject was later located and taken into custody. The vehicle was confirmed stolen with the San Antonio Police Department. **R [REDACTED]** stated they bought the vehicle from a friend, **[REDACTED]** but was unable to provide a contact number or an address.

The Officer that was out with the vehicle left the vehicle and occupants, unknowing that the 4 undocumented persons were concealed in the car to assist another officer approximately 1 mile east on RR 334. I pulled up to the traffic stop and was informed that the initial vehicle the Officer was out with, the 2012 GMC was 1 mile west of the stop. I proceeded to the location of the 2012 GMC Terrain and located **R [REDACTED]** walking away from the vehicle.

I immediately observed shoe prints from the passenger's side of the vehicle which led over the north fence line leading onto the Los Cuernos Ranch. **R [REDACTED]** stated her boyfriend, left, and believed he may have been given a ride into Brackettville Texas. The evidence on the ground led to believe that **R [REDACTED]** was lying, and that the driver absconded with the 4 undocumented aliens.

The Kinney County Brush Team Deputies were called to assist and were able to locate all 4 undocumented persons that are listed below. The undocumented persons stated that they were in the vehicle and fled once Officers left the area. A short time later the driver of the vehicle was located and taken into custody.

**R [REDACTED]** was taken into custody on the four counts of smuggling of persons and unauthorized use of a motor vehicle.

Reliable Towing took possession of the vehicle.

**Exh. B-2**

**Undocumented Persons:**



A handwritten signature in black ink, appearing to be 'A. Garcia', written over a horizontal line.

Affiant

SWORN TO AND SUBSCRIBED BEFORE ME, by Chief Deputy Armando M. Garcia, a credible person, this **18th** day of **August 2022**

A handwritten signature in black ink, appearing to be 'Armando M. Garcia', written over a horizontal line.

Peace Officer, in and for The State of Texas **KINNEY** County

On this the \_\_\_\_\_ day of **August 2022**, I hereby acknowledge that I have examined the foregoing Affidavit and have determined that probable cause does exist for the issuance of an arrest warrant for the individual accused herein.

A handwritten signature in black ink, appearing to be 'Paul', written over a horizontal line.

Magistrate in and for, KINNEY County, Texas